

REMARKS

This application has been carefully reviewed in light of the Office Action dated January 2, 2004. Claims 1-21 remain pending in this application. Claims 1, 9, and 15 are the independent claims. Favorable reconsideration is respectfully requested.

Applicants note with appreciation the indication that Claims 3, 5, 10, and 12 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Applicants respectfully refrain from so amending Claims 3, 5, 10, and 12 at this time because they believe their base claims allowable.

On the merits, the Office Action rejected Claims 1-2, 4, 6-9, 11, and 13-21 under 35 USC § 103(a) as being unpatentable over Kazama et al. (U.S. Patent No. 6,111,580; hereinafter "Kazama") in view of Curry (U.S. Patent No. 3,922,665; hereinafter "Curry").

Applicants respectfully submit that the pending application and claims are patentable for at least the following reasons.

It is respectfully submitted that Kazama fails to recite or suggest: tracking behavior of a person in a predetermined area under surveillance after the activation of an alarm clock; determining whether the person is motionless within a first predetermined time period based on a series of frame data; and, if

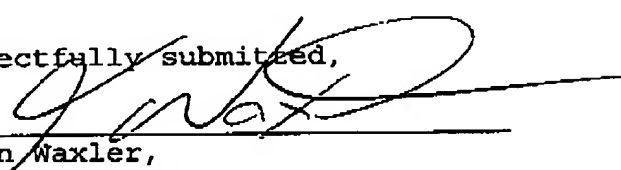
motionless, gradually increasing the alarm clock signals of said alarm clock. Rather, Kazama recites a gesture recognition device used to operate an alarm clock (see, e.g., Col. 12, lines 8-47). Kazama's device uses a TV camera 711, A/D conversion 712, hand area detection section 713, and image processing section 714. When Kazama's alarm rings a hand area detection occurs (see, e.g., Col. 12, lines 32-39). Thus Kazama's device only tracks the behavior of a hand, rather than the behavior of a person. Further, Kazama has no predetermined area under surveillance, but rather must locate a hand area and calculate the distance the center of gravity moves in a time series. In addition, Kazama's alarm system tracks when a hand is in motion coupled with the eye size of the user (see, e.g., Col. 12, lines 33-61). Thus Kazama does not detect when a person is motionless, but rather when they are in motion. Further, Kazama requires both hand movement and eye area to be detected. Kazama calls for the camera 711 to be set to record an image close to the alarm clock only (see, e.g., Col. 12, lines 58-64). This additional limitation teaches away from Applicants' invention which can be independent of camera position. Thus, Applicants respectfully believe Claim 1 to be patentable over Kazama and Curry for at least these reasons.

Claims 9 and 15 recite methods substantially corresponding to Claim 1 and are believed patentable for at least the same reasons.

Claims 2-8, 10-14, and 16-21 depend from one or another of the independent claims discussed above and are believed patentable for at least the same reasons. In addition, however, each is also deemed to define an additional aspect of the invention, and should be individually considered on its own merits.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the currently-pending claims are clearly patentably distinguishable over the cited and applied references. Accordingly, entry of this amendment, reconsideration of the rejections of the claims over the references cited, and allowance of this application is earnestly solicited.

Respectfully submitted,

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